IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 548 OF 2006
IN
NOTICE OF MOTION NO. 1917 OF 2006
IN
SUIT NO. 1698 OF 2006

Ashok Leyland Finance Limited] .. Appellant (Ori.Defendant)

Versus

Shri Amrik Singh] .. Respondent (Ori.Plaintiff)

Mrs. Shakuntala Joshi for the appellant.

Mr. R.R. Sharma for the respondent.

CORAM: R.M. LODHA &
S.A. BOBDE, JJ.

DATED: 19TH AUGUST, 2006

P.C. :

. Heard.

2. This Appeal is directed Against the ad-interim relief. In our view, merits of the diverse contentions raised in the Appeal need not be examined by us and to avoid multiplicity of arguments, it would be fitness of things if Notice of Motion itself is heard finally by the learned Motion Judge expeditiously.

3. We are informed by the Advocate for the appellant that Notice of Motion NO.2150 of 2006 has been taken out by the present appellant (original defendant) and the Affidavit in support of that Motion may be treated as reply to the Notice of Motion taken out by the original plaintiff.

4. Since the counsel for appellant submits that the Affidavit in support of Notice of Motion No.2150 of 2006 taken out by the appellant be treated as reply to the Notice of Motion taken out by the plaintiff, the separate reply to the Notice of Motion shall not be necessary and the learned Judge may hear the Notice of Motion expeditiously.

5. We, accordingly, request the Motion Judge to hear and decide the Notice of Motion expeditiously and preferably within two months from today along with Notice of Motion No.2150 of 2006.

Sd/-/
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]